

### **REMARKS**

Claims 1-9 are now pending in the application. Claim 9 has been amended. Support for the foregoing amendments can be found throughout the specification, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Svacek et al. (U.S. Pub. No. 2002/0163937). This rejection is respectfully traversed.

Applicant has amended claim 9 to more clearly point out the claimed subject matter. Claim 9 recites "B/ $\Delta$ B pieces of N-selected-one devices that each are coupled to the main switch module, wherein each of B/ $\Delta$ B pieces of N-selected-one devices selectively couples each one of the N slots with the main switch module under control of the main switch module." Applicant submits that Svacek fails to anticipate this limitation.

The Examiner considers a) the personality modules of Svacek as analogous to the claimed N-selected-one devices and b) the controller (42), microprocessor (44), and allocation module (34) as analogous to the claimed main switch module. Svacek at best appears to show that each personality module is placed in one of the slots (28-32). The slots of Svacek are always coupled to the controller (42), microprocessor (44), and allocation module (34). In other words, a personality module cannot selectively couple the slot that is occupied by the personality module to the controller (42), microprocessor

(44), and allocation module (34). Further, a personality module cannot selectively couple other slots that are not occupied by the personality module to the controller (42), microprocessor (44), and allocation module (34).

In view of the foregoing, Applicant submits that claim 9 defines over the art cited by the Examiner.

The Examiner asserts in paragraph 2 of the "*Response to Arguments*" section of the office action that the modules of Svacek is also used for allocating bandwidth as the N-selected-one devices in claim 6. Applicant respectfully traverses the Examiner's assertion.

Paragraph [0025], lines 7-10 of Svacek, which are cited by the Examiner, only state that "the dynamic bandwidth allocation system allows each personality module to *utilize* different amount of system bandwidth *to transmit payloads*". Applicant submits that the meaning of the term "utilize" is substantially different from that of the term "allocate". By using "utilize", Svacek at best appears to show that the modules use the allocated bandwidth to transmit payloads, which is not relevant to the allocation of the bandwidth.

Furthermore, Applicant submits that the bandwidth of Svacek is actually allocated by the allocation module 34. Specifically, paragraph [0030] of Svacek states that "the microprocessor 44 programs the allocation module 34 to allocate the appropriate amount of bandwidth to each personality module." Also, paragraph [0031] of Svacek states that "the allocation module 34 dynamically allocates the bandwidth to the personality modules, each personality module's payload is transmitted to the allocation module 34...".

Further, at paragraph 5, last two lines of the “*Response to Arguments*” section, the Examiner has clearly acknowledged that “the bandwidth of Svacek is allocated to the personality modules”, i.e., the personality modules are not used for allocating bandwidth.

Therefore, Applicant submits that the bandwidth in Svacek is allocated by the allocation module (34) rather than by the personality modules. The personality modules merely utilize the bandwidth allocated by the allocation module 34, i.e. use the allocated bandwidth. However, claim 6 clearly defines that the N-selected-one devices allocate the bandwidth to communicated slots.

In addition, Applicant respectfully submits that the personality modules of Svacek at best can be considered somehow analogous to the service processing board disclosed in one or more embodiments of the present disclosure (*referring to the second paragraph in the “background of the invention” section*), because both the personality modules of Svacek and the service processing board of the embodiments are placed in their respective slots and used for service transmission (*Svacek, paragraphs [0025] “transmit payloads”, [0029] “personality modules are placed in slots”*). Thus, Applicant submits that the personality modules of Svacek differ from the N-selected-one devices of claim 6.

The Examiner further asserts in paragraph 3 of the “*Response to Arguments*” section of the office action that “*the peripheral cards are for inputs and outputs*”. Applicant respectfully traverses the Examiner’s assertion.

First, the Examiner’s attention is drawn to the fact that paragraph [0025], lines 3-5 of Svacek merely state that “each slot can hold a variety of different peripheral cards

or personality modules." In other words, the peripheral cards and the personality modules are two kinds of independent entities. The peripheral cards at best can be considered as substitutes of the personality modules. Thus, the peripheral cards can not be considered as analogues to either the inputs or the output of the personality modules.

Furthermore, even if the peripheral card can be considered as analogous to the inputs of the personality module, since the peripheral card and the personality module are placed in the same slot (Svacek, paragraph [0025], "each slot can hold a variety of different peripheral cards or personality modules"), the personality module can communicate with only the slot where it is located. In claim 6, however, each N-selected-one device is communicated with the N slots through its N inputs.

Therefore, Applicant respectfully traverses the Examiner's assertion that Svacek anticipates the limitation that "N inputs of each N-selected-one device communicate with the N slots respectively" of claim 6.

In paragraph 4 of the "Response to Arguments" section of the office action, the Examiner asserts that the "parallel bits of bandwidth" of Svacek teaches the minimum allocated bandwidth unit  $\Delta B$  of claim 6. Application respectfully traverses the Examiner's assertion.

In claim 6, the minimum allocated bandwidth unit  $\Delta B$  is associated with the number of the N-selected-one devices. The number of the N-selected-one devices is  $B/\Delta B$ . Thus, once the minimum allocated bandwidth unit  $\Delta B$  is determined, the number of the N-selected-one devices is fixed in condition that B is not changed.

Svacek, however, does not appear to disclose this relationship. In fact, no feature analogous to  $\Delta B$  is disclosed in Svacek at all. At paragraph [0014] of Svacek, two personality modules PIM are required. PIM-A requires 5 parallel bits, and PIM-B requires 10 parallel bits. Thus, according to the assertion of the Examiner of parallel bits being the  $\Delta B$ , it is unclear whether it is 5 or 10.

Still at paragraph [0014] of Svacek, if a multiplexer that supports 40 bits is used, 6 PIM-As and 1 PIM-B can be used. Thus, no matter 5 or 10 is selected as  $\Delta B$ , the number of the PIM-As and PIM-Bs which are considered as being equivalent to the N-selected-one devices cannot be calculated from  $B/\Delta B$ . Specifically, if 5 is selected as  $\Delta B$ ,  $B/\Delta B$  will be  $40/5=8$ , whereas the number of PIM-As and PIM-B being  $6+1=7$ ; if 10 is selected as  $\Delta B$ ,  $B/\Delta B$  will be  $40/10=4$ , which also differs from the number of PIM-As and PIM-Bs.

Therefore, the minimum allocated bandwidth unit  $\Delta B$  differs from the parallel bits of bandwidth of Svacek.

In view of the above arguments, Applicant respectfully submits that claim 6 and its dependent claims 7-8 define over the art cited by the Examiner for at least the foregoing reasons. Claim 1 and its dependent claims 2-5, and claim 9 define over the art cited by the Examiner for one or more of the reasons set forth regarding claim 6. Therefore, withdrawal of the rejection under 35 USC 102(e) is respectfully requested.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests

that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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